

**LASARA INDEPENDENT SCHOOL DISTRICT****P.O. BOX 57****LASARA, TEXAS 78561****(956) 642-3598****FAX (956) 642-3546****REQUEST FOR REVIEW**CC Docket No. 02-6  
September 24, 2004**DOCKET FILE COPY ORIGINAL**Federal Communications Commission  
Office of the Secretary  
445 -42th Street, SW  
Washington, DC 20554

Fax 202-418-0187

## Data on person to discuss appeal:

Name- Silverio A. Peña

Address- Lasara ISD

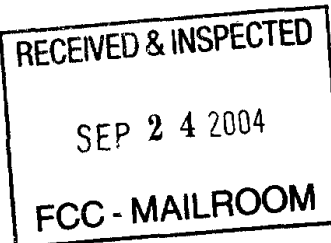
401 E. Main

Lasara, TX 78561

Telephone- 956-425-8268

Fax - 956-428-8334

e-mail- spena@flash.net



Billed Entity Name- 141654

Billed Entity Number-91465

Form 471 Number- 410683

## Text of SLD letter:

" The Form 471 submitted is not the correct, OMB- approved Form 471, with a date of October, 2002 or later in the lower right-hand corner of this form."

## Response to text of SLD letter:

On January 28, 2004, Form 471 #410683 was submitted on-line. After submitting, for unknown reason the certification and signature page could not be accessed.

On January 29, 2004, SLD was contacted, case # 21-032241 was given, an agent by the name of Paulo advised to copy Form 471 and be signed by the authorized person and mail to SLD, since Form 471 could be seen on the screen using the security code.

## Administrator's Decision on Appeal-Funding Year 2004-2005

Decision on Appeal: Denied in full

{ USAC letter dated January 20, 2004 enclosed}

## Other documentation:

E-mail from Mr. Peña to Cathy George, State of Texas Coordinator, E-mail from Cathy George to George McDonald, SLD, e-mail response from George McDonald to Cathy George, forwarded to Mr. Peña.

This appeal is being undertaken to meet the 60 day requirement, since to date we have not received the RAL.

Signature of authorized person:

Name of authorized person: Dr. Cornelio Gonzalez

Title of authorized person: Superintendent

No. of Copies rec'd 1  
List ABCDE



**Universal Service Administrative Company**  
Schools & Libraries Division

**Administrator's Decision on Appeal - Funding Year 2004-2005**

July 29, 2004

Cornelio Gonzalez  
Lasara ISD  
401 East Main  
Lasara, TX 78561

RECEIVED & INSPECTED

SEP 24 2004

FCC - MAILROOM

Re: Billed Entity Number: 91465  
471 Application Number: 410683  
Funding Request Number(s): 1133608  
Your Correspondence Dated: April 21, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision regarding your appeal of the SLD's Funding Year 2004 Form 471 Certification Rejection Letter for the application number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one application number, please note that for each application an appeal is submitted, a separate letter is sent.

**Funding Request Number:** 1133608  
**Decision on Appeal:** Denied in full  
**Explanation:**

- On appeal, you seek reversal of the SLD's decision to reject the Form 471 where the Form 471 was not the correct, OMB-approved Form 471 with a date of October 2002 or later in the lower right hand corner of the form. You state that the Form was submitted online on January 28, 2004, but Block 6, Certification and Signature could not be accessed. On January 29, 2004 you contacted SLD (Case # 21-032241) and were advised to copy the Form 471, have an authorized person sign it and send it to SLD.
- Upon thorough review of the appeal letter and relevant documentation, we find that the original submission of this Form 471 is not the correct, OMB-approved Form 471, with a date of October 2002 or later in the lower right-hand corner of the form. This caused the Form 471 to be rejected for failing to meet the minimum processing standards. The Form 471 Rejection Letter was dated March 15, 2004, and the correction for this Form 471 was not submitted prior to the close of the filing

window. Program rules require the completed Form 471 and its certification to be received by the SLD postmarked no later than 11:59 p.m. EST on February 4, 2004 in order to be considered as received within the Funding Year 2004 window. It is the responsibility of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner. Consequently, SLD denies your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission ("FCC"). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12<sup>th</sup> Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

SBC Yahoo! Mail



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**Subject:** FW: Non-Fund/Denial due to computer glitch!

**Date:** Fri, 3 Sep 2004 11:52:27 -0500

**From:** "Cathey George" <cgeorge@esc12.net> [?] Add to Address Book

**To:** spena@flash.net

Mr. Pena: Here is the confirmation from Mr. McDonald that you will be getting information soon.

Cathey George  
E-Rate Coordinator, Texas  
FAX: (254) 666-0823  
cgeorge@esc12.net  
<http://tpesc.esc12.net/>

**From:** George McDonald [mailto:gmcdonald@universalservice.org]  
**Sent:** Friday, September 03, 2004 9:19 AM  
**To:** Cathey George  
**Cc:** Timm Harwick  
**Subject:** RE: Non-Fund/Denial due to computer glitch!

Sorry for the delay in responding, Cathey. We've been investigating since your first e-mail. The rejection (and appeal decision) were mistakes. And we have learned that we made this mistake with a number of other 471 certs. We're treating this as a systemic error and will be fixing these mistakes. LaSara ISD (and the other affected applicants) will be hearing from us, getting a letter, and then getting an RAL.

Sorry for the inconvenience.

George

**From:** Cathey George [mailto:cgeorge@esc12.net]  
**Sent:** Monday, August 30, 2004 9:20 AM  
**To:** gmcdonald@universalservice.org  
**Subject:** RE: Non-Fund/Denial due to computer glitch!

George:

I know how busy you are but I was just wondering if you'd found any time to look at this for us.

Thank you for your continued support!

Cathey George  
E-Rate Coordinator, Texas  
FAX: (254) 666-0823  
cgeorge@esc12.net  
<http://tpesc.esc12.net/>

**From:** Cathey George  
**Sent:** Thursday, August 12, 2004 2:54 PM  
**To:** 'gmcdonald@universalservice.org'  
**Subject:** Non-Fund/Denial due to computer glitch!

George:

I got a call today from an applicant who found he could not get the certification page to print for the 471, even though he filed online on January 28, 2004 well within the window.

**LaSara ISD**  
BEN# 91465  
471# 410683

Mr. Silveria Pena called the SLD help desk the very next day (Jan. 29) after trying repeatedly to access the Certification page of the 471 form. He talked to a person at the SLD help desk named Paulo telling about the printing problem and Paulo opened a "case" for him (21-032241). Paulo advised him to just print the 471 form from the SLD website within the "On-Line" section using the display button for his 471 application he had just submitted. Paulo told Mr. Pena to have his superintendent sign that display form next to the printed name and send it into him to comply with the certification requirement.

I now understand that the SLD had computer problems during that time, and while they (Paulo) could see his application on the computer screen and that it was correctly submitted, it would not print out cert sheet. It was a mystery to Paulo too and that's probably why he asked Mr. Pena to fax them the entire printout, having the superintendent sign that form as the compliance of the certification for block 6.

As you might expect, a very surprised Mr. Pena received (on March 15, 2004) a 471 rejection notification letter indicating that he did not submit the correct OMB approved form. As far as Mr. Pena knows, he has followed Paulo's instructions to the letter.

On the March 15 rejection letter, it advised Mr. Pena to appeal the decision which he did on April 21, 2004. However, on July 29, 2004, LaSara ISD received a denial letter for that appeal indicating "Denied in full" due to the correct OMB cert form not being received inside the window. One other mystery: the July 29th appeal rejection letter was not received at LaSara ISD until yesterday, August 11, 2004. Not sure what happened here.

This is an applicant who did what he was supposed to, when he was supposed to, and now only by chance have I found out that a "technical" problem at the other end messed up his application. He shouldn't have to wait for a solution once the problem is pointed out. Going into an appeal status at the FCC level shouldn't be necessary. Isn't there some way to fix this so that it reflects the first time he pressed Submit (Jan. 28, 2004)? Now that Mr. Pena can print the form, knows of the problem and can get Block 6 sent in correctly, can he send in this form to meet compliance and move this application on? I hope you can sort it all out for us.

Cathey George  
State of Texas Coordinator  
Technology Planning and E-Rate Support Center  
ESC Region 12  
FAX: (254) 666-0823  
cgeorge@esc12.net  
<http://tpesc.esc12.net/>

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